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82D CONGRESS, 2d Session | SENATE | REPORT No. 1550

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STEPHAN JOSEPH HORVATH AND LUCAS ALBERT HORVATH

MAY 12, 1952.—Ordered to be printed

Mr. MCCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 3732]

The Committee on the Judiciary, to which was referred the bill (H. R. 3732) for the relief of Stephan Joseph Horvath and Lucas Albert Horvath, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant a waiver of the racial barrier to admission into the United States in behalf of 2 minor Japanese children in the custody of a United States citizen serviceman and his wife. The children would be considered to be nonquota immigrants which is the status normally enjoyed by the alien minor children of United States citizens.

STATEMENT OF FACTS

The beneficiaries of the bill are two minor Japanese children in the custody of Master Sgt. and Mrs. S. J. Horvath who are citizens of the United States presently in Japan where Sergeant Horvath is on duty with our Armed Forces.

Congressman Robert L. F. Sikes, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and submitted the following information in support of the bill:

DECREE

Name of petitioner: Stephen J. Horvath, Jr.
Permanent address: Monticello, Fla., the United States of America.
Present address: Quarters 691–A, Tachikawa Air Base, Tachikawa-city, Tokyo-to.
Name of petitioner: Ida Jeannette Horvath.
Permanent address: Same as above permanent address.
Present address: Same as above present address.
Person in question: Shozo Sugiyama.
Permanent address: No. 68, Yamate-cho, Naka-ku, Yokahama-city.
Present address: Quarters 691–A, Tachikawa Air Base, Tachikawa-city, Tokyo-to.

Pertaining to petition for adoption between the above parties, reference No. 412, 1951, I, having recognized the said petition as proper one, hereby give a decision as follows:

SENTENCE

The said petitioners are legally permitted by authority to adopt Shozo Sugiyama, minor and person in question of this case.

In testimony whereof, I have hereunto affixed the seal of the court, this 9th day of February 1951.

[SEAL]

TAKESHI HASEGAWA,
Judge of Domestic Relations,
Hachioji Branch of Tokyo, Domestic Relations Court.

I certify that the above is a true and complete copy of original record of decree.

NAMIKO NAKANO, [SEAL]
Court Clerk.

I, Kenjiro Kurosaki, do affirm that the above is a true and exact translation of the attached copy of record to the best of my ability.

KENJIRO KUROSAKI,
Interpreter, Wing Legal Office.

PETITION OF APPLICATION FOR ADOPTION

AUGUST 3, 1951.

To the Hachioji Branch of Tokyo, Domestic Relations Court:

Name of petitioner: Master Sgt. Stephen J. Horvath, Jr.
Permanent address: Monticello, Fla.
Present address: Quarters 691–A, Tachikawa Air Base.
Name of petitioner: Ida Jeannette Horvath.
Permanent address: Monticello, Fla.
Present address: Quarters 691–A, Tachikawa Air Base.
Person in question: Yoshio Ishibashi (Lucas Albert Horvath).
Permanent address: 68–Banchi, Yamate-cho, Naka-ku, Yokohama-city.
Present address: Quarters 691–A, Tachikawa Air Base.

Object of petition.—It is petitioned by the undersigned petitioners, Master Sgt. Stephen J. Horvath, Jr., and Ida Jeannette Horvath that the judgment of the court be given regarding the permission of the subjected petition which the said petitioners should be legally authorized to adopt Yoshio Ishibashi (Lucas Albert), the person in question who is under full legal age.

Reason of adoption.—Having been married 5 years without children, and it being impossible to have children of our own, it is our desire to provide a house for foster children. We sincerely desire to make this child a permanent member of our family, returning him with us to the United States, providing permanently for his care, support, and education as if he were our natural child.

Attached documents.—A copy of marriage license of the petitioners; a copy of census register of the person in question; certificate of real mother; a copy of contract between the petitioners and the baby home.

IDA JEANNETTE HORVATH.
STEPHEN J. HORVATH, Jr.

HACHIOJI BRANCH OFFICE,
TOKYO DOMESTIC RELATIONS COURT,
August 13, 1951.

DECREE

Petitioners: Stephen J. Horvath, Jr., and Ida Jeannette Horvath.
Home address: Monticello, Fla., the United States of America.
Present address: Dependent House 691-A, Tachikawa Air Base, Tachikawa-city, Tokyo-to.
Person in question: Yoshio Ishibashi (Lucas Albert).
Registered address: 68-banchi, Yamate-cho, Naka-ku, Yokohama-city.
Present address: Dependent House 691-A, Tachikawa Air Base, Tachikawa-city, Tokyo-to.
Pertaining to the petition for adoption between the above parties, case No. Ka-2349 in 1951, I, the undersigned judge, after having examined the petitioners in the presence of an interpreter, Kenjiro Kurosaki, and recognized the petition as proper one, do hereby give the decision as follows:

SENTENCE

It is hereby granted that the petitioners, Stephen J. Horvath, Jr., and Ida Jeannette Horvath shall adopt the child in question, Yoshio Ishibashi, minor child.

TAKESHI HASEGAWA,
Judge of Domestic Relations Court.

I, the undersigned court clerk, do hereby certify that the above is a full and complete copy of the original decree of court.

KAZUKO WATANABE, [SEAL]
Court Clerk.

[OFFICIAL SEAL.]

I, Kenjiro Kurosaki, do hereby affirm that the above is a true and exact translation of the attached copy of the decree of court to the best of my knowledge and ability.

KENJIRO KUROSAKI,
Interpreter, Wing Legal Office.

HEADQUARTERS,
374TH TROOP CARRIER WING (H),
APO 704.

AFFIDAVIT

I, Ida Jeannette Farnell Horvath, of Tampa, Fla., presently residing in Japan, after having been read the twenty-fourth article of war, and after having been told that it is not necessary for me to answer any questions that might tend to degrade me or to incriminate me, and that any statement made by me may be used against me, do hereby make the following statement:

STATEMENT

I, Ida Jeannette Farnell Horvath, was born in the State of Florida, county of Taylor, to Ida Sivil Walters Farnell and Oliver Lee Farnell, on November 12, 1917. Encumbent attended 12 years of public school in the State of Florida and graduated from Taylor County High.

After graduating I accepted a position with S. H. Kress 5 & 10¢ Store in Tampa, Fla., and later worked for Liggett Drug Co. of Tampa, Fla.

On November 3, 1940, I was united in marriage to Stephen John Horvath, a member of the Army Air Force at the time, and began to travel extensively. We were transferred to Barksdale Field, La., and I worked for W. T. Grant 1¢ to $1.00 Store. From here my husband went to the ETO and I returned to Tampa, Fla., and joined the WAAC Corps for 18 months, and was discharged under section V, AR 615-360, Dependency, due to the death of my father. After my husband returned to the States, I joined him at Clovis, N. Mex., and accepted a position at the local air base. While in Japan I worked at FEAMCOM, APO 323, and for the Army Central Exchange, APO 323.

To now we have saved a sum of $16,000, which is in the Soldiers' Deposit, and I hope to use the necessary amount of this to give Stephen Joseph a good education and a better background in life in the States than he would get in Japan.

IDA JEANNETTE FARNELL HORVATH.

Subscribed and sworn to before me this 5th day of March 1951, at APO 704.

GEORGE J. GOLDSBOROUGH, Jr.,
First Lieutenant, USAF, a Summary Court Martial.

HEADQUARTERS,
374TH TROOP CARRIER WING (H),
APO 704.

AFFIDAVIT

I, Stephen J. Horvath, Jr., technical sergeant, USAF, APO 704, after having been read the twenty-fourth article of war, and after having been told that it is not necessary for me to answer any questions that might tend to degrade me or to incriminate me, and that any statement made by me may be used against me, do hereby make the following statement:

STATEMENT

I, Stephen J. Horvath, Jr., was born of foreign-birth parents on November 23, 1915, at Bethlehem, Pa., in the county of Northampton.

I attended St. John's Hungarian Parochial School and completed the course there in 1930. Later I was enrolled at the local Catholic high school, which I attended for 2½ years.

Following the death of my mother, I, being the eldest boy, was obliged to seek employment to assist in the upkeep of our family of six. I joined the Civilian Conservation Corps, where I remained for 26 months. My next employment was in the local steel works (blast furnace section), but after 7 months, deeming this work injurious to my health, I resigned and applied for and was accepted for service in the United States Air Force, on October 19, 1937.

I have faithfully served the aforesaid forces since 1937 and I propose to continue in this service until eligible for a 20-year retirement.

In the spring of 1940, I was assigned to duty with the Air Force in Florida, where I met and married my present wife, Ida Jeannette Farnell, on November 3, 1940.

During our years of married life, unfortunately we have not been blessed with children. Desirous, therefore, of adopting a child, while stationed in the Far East I and my wife have visited various Catholic missions and orphanages. After careful consideration, we have selected a foundling, a boy of 3½ years of age, whom we have had in our custody for some weeks and whom we have learned to love and cherish as our own. Consequently, we are anxious to proceed with the formal adoption of the aforesaid child and to bring him back with us to America to rear him as a good Catholic and loyal citizen of the United States.

Our present financial status is: Soldiers' deposit, $16,000, plus present rating.

STEPHEN J. HORVATH, Jr.,
Technical Sergeant, USAF.

Subscribed and sworn to before me this 5th day of March 1951, at APO 704.

GEORGE J. GOLDSBOROUGH, Jr.,
First Lieutenant, USAF, a Summary Court Martial.

OUR LADY OF LOURDES BABY HOME,
Yokohama, June 24, 1951.

I, Mrs. Ida Jeanette Horvath, of Tachikawa, Japan, upon agreement with the mother superior of the Franciscan Missionaries of Mary of Our Lady of Lourdes Baby Home, Yokohama, promise to adopt legally child Lucas Tchibashi Yoshio, born December 19, 1947, and baptized in the Catholic Church under the name of Lucas.

I also promise to bring up the child according to the precepts of the Roman Catholic Church and provide for its education in a Catholic school.

The child will be returned to the above home if I become unable to keep it.

IDA JEANNETTE HORWATH.
SISTER ST. HELIER, F. M. M.,
Mother Superior.
MARY DU B. HILDEGAIRE, F. M. M.,
Witness.

OUR LADY OF LOURDES BABY HOME,
Yokohama, January 21, 1951.

I, Stephen J. Horvath, Jr., upon agreement with the mother superior of the Franciscan Missonaries of Mary of Yokohama, Our Lady of Lourdes Baby Home, promise to adopt legally child Sugiyama Shozo (Stephano), born of Sugiyama Miyoko and baptized in the Catholic Church, August 19, 1947, under the name of Stephano.

I also promise to bring up Sugiyama Shozo (Stephano) according to the precepts of the Roman Catholic Church and provide for his education in a Catholic school.

As much as possible I will keep in contact with the above home. In any way Sugiyama Shozo (Shozo) will be returned there if I became unable to keep him.

STEPHEN JOHN HORVATH, Jr,
MARIE ADELARD DE ST. JOSEPH, L. M. M.,
Mother Superior.
Father MALACHY TUNAN, S. J., *Witness.*

OFFICE OF THE CATHOLIC CHAPLAIN,
374TH TROOP CARRIER WING, APO 704,
c/o *PM, San Francisco, Calif., February 7, 1951.*

To Whom It May Concern:

Permit me to recommend the passage of a private law to enable Master Sgt. and Mrs. Stephen J. Horvath, Jr., to bring their adopted son, Stephen, into the United States. Both Sergeant and Mrs. Horvath are individuals of splendid character and should provide an excellent home and upbringing for their child.

Sincerely yours in Christ,

WILLIAM E. MAHER,
Chaplain (Captain), USAF, Catholic Chaplain.

OFFICE OF THE CATHOLIC CHAPLAIN,
2349TH PERSON PROS. SQDN.,
Camp Stoneman, Calif., July 31, 1951.

To Whom It May Concern:

It is a real pleasure to recommend most highly Master Sgt. and Mrs. S. J. Horvath (AF6899972) as being very conscientious and competent. I have personally known this couple for almost 5 years and at all times they have been very faithful in the performance of their domestic duties. So far as I have been able to learn, financially Sergeant and Mrs. Horvath have the means to provide a very comfortable home for a child or children entrusted to their loving care. I am confident that the children adopted by this couple will be very well provided for and that the future of these children will enjoy considerable security.

Very truly yours,

ALBERT C. M. STEFFENS,
Chaplain (Major), AO339976.

HEADQUARTERS,
FEAF BOMBER COMMAND, APO 328,
Tachikawa, Japan, March 18, 1951.

To Whom It May Concern:

I have been well acquainted with Master Sgt. Stephen J. Horvath and his wife, Jeannette, since May 1948. During this period I have had opportunity to work with them both and become thoroughly familiar with their personal interests,

habits, and home life. I consider them both people of excellent character and possessing all the attributes necessary for a well-settled and happy home life.

I am familiar with their desire to adopt a child in Japan and have seen both Sergeant and Mrs. Horvath with the child on many occasions. I firmly believe that the three of them make an unusually happy family group and that such an adoption would be a most fortunate thing, particularly for the child.

I am also quite familiar with Sergeant Horvath's military and personal record and know that his ability to support the child and assume the responsibility of a parent are completely beyond any question whatsoever.

HENRY H. HOWER,
Lieutenant Colonel, USAF.

HEADQUARTERS, FAR EAST AIR MATÉRIEL COMMAND,
OFFICE OF THE COMMANDING GENERAL,
APO 323, August 9, 1951.

To Whom It May Concern:

I have been well acquainted with Master Sgt Stephen J. Horvath, Jr., AF6899972, for the past 3 years. He is personable and, in my opinion, his standards of moral and social conduct are above reproach. I feel that he is financially capable of supporting a family.

Sergeant Horvath has always maintained friendly relations with his associates and has given every indication of being a devoted family man. The Horvaths have demonstrated that they possess the qualities so necessary in a happy home life by adopting one child. I highly endorse their adoption of another foster child should it be possible.

SOLOMON J. ZOLLER,
Colonel, USAF, Vice Commander.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 3732) should be enacted.

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